

**WAGANAKISING ODAWAK STATUTE 2015-
REMOVAL OF COMMISSIONERS**

SECTION I. SHORT TITLE AND PURPOSE

A. Short Title. This Statute may be cited as the "Commissioner Removal and Nepotism Act."

B. Purpose. This Act sets out standard procedures for the removal of members of commissions of the Tribe, and rules regarding nepotism. This Act shall apply to all commissions of the Tribe unless otherwise specified in a specific commission statute. This Statute repeals and replaces the WOS 1997005 Removal of Commissioners and Nepotism Statute and WOS Removal of Commissioners and Nepotism 2001-10.

SECTION II. REMOVAL OF COMMISSIONERS

A. A Commissioner may only be removed for cause by a majority vote of Tribal Council.

B. Cause of removal shall be one of the following:

- 1.** Unethical conduct, as defined by the Little Traverse Bay Bands of Odawa Constitutionally Mandated Rules of Conduct for Officials of Tribal Government or any other approved ethical standards.
- 2.** Physical or mental disability which prevents the performance of Commissioner's duties;
- 3.** Persistent failure to perform duties in a timely manner;
- 4.** Gross misconduct;
- 5.** Conviction of a felony.

1 **SECTION III. ETHICS**

2
3 Commissioners shall follow Constitutionally Mandated Rules of Conduct for Officials of Tribal
4 Government or any other approved ethical standards.
5

6
7 **SECTION VIII. SEVERABILITY**

8
9 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for
10 any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion
11 shall be deemed a separate, distinct and independent provision and such holding shall not affect
12 the validity of the remaining portions thereof.
13

14
15 **SECTION IX. EFFECTIVE DATE**

16
17 Effective upon signature of the Executive or thirty (30) days from Tribal Council
18 approval whichever comes first or if the Executive vetoes the legislation, then upon Tribal
19 Council override of the veto, but shall not be implemented until after the next election and until
20 the next Tribal Council or individual councilors are sworn in.
21
22
23